

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 17, 2007. Claims 55, 56 and 58 to 62 are in the application, of which Claims 55, 58 and 59 are independent. Reconsideration and further examination are respectfully requested.

All claims were rejected under 35 U.S.C. § 103(a) over U.S. Patent 5,606,365 (Maurinus) in view of U.S. Patent Application Publication 2002/0083441 (Flickinger). Reconsideration and withdrawal of the rejections are respectfully requested, as detailed more full below.

The invention concerns a cable head end apparatus which includes first and second storing means for respectively storing an advertising database and an image database. According to one aspect of the invention, the cable head end apparatus includes display controlling means for controlling to display both a photo image and local advertising information together on a user display. For example, in one representative embodiment of the invention described at page 20, lines 22 to 27, in connection with Figure 7, advertising information may be displayed in display 713 such as in border area 715 surrounding image 714, such that both the advertising information and the image are displayed together.

The claimed cable head end is intended for cooperative interaction in a digital imaging service which includes plural cable head end apparatuses. For example, as

described at page 9, lines 1 to 9, in terms of one representative embodiment, there are plural cable head end apparatuses.

According to one feature of this cooperative interaction, advertising information is obtained from an advertising database of one of such plurality of cable head end apparatuses, wherein said one apparatus corresponds to the cable head end apparatus having the image database in which the photo image is stored. Again referring to a representative embodiment of the invention, the specification commencing at page 9, line 23, describes that server 104 may include advertising information uploaded directly thereto by an advertiser, as well as advertising information uploaded to another instance of server 104 and forwarded via portal 105 to the first instance of server 104.

Maurinus describes a digital still camera system cooperating with a cable head end for display and reproduction of image data stored on the camera. The Maurinus system, however, is not disclosed as interacting cooperatively with an imaging service which includes plural cable head end apparatuses. As a consequence, the Maurinus system does not show a cable head end apparatus with its own advertising database and its own image database, and which works cooperatively with advertising databases and image databases in others of the plural cable head end apparatuses.

Applicants therefore disagree with the assertion, at page 3 of the Office Action, that Marinus shows obtaining means for obtaining additional data corresponding to the cable head end apparatus having the image database in which the photo image is stored. Since the Marinus apparatus admits of only a single image database, it could not possibly describe a system in which additional data (or advertising data) is obtained in

correspondence to the cable head end apparatus having the image database on which the photo image is stored. To clarify this feature of the invention, the claims have been amended so as to specify that the local advertising information is obtained from an advertising database of one of plural cable head end apparatuses, wherein the one cable head end apparatus from which the local advertising information is obtained corresponds to the cable head end apparatus having the image database in which the photo image is stored.

The Office Action conceded that Marinus is silent concerning the use of advertising information, and relied on the citation to Flickinger to supply elements that are clearly missing from Marinus. Applicants respectfully submit that such reliance is misplaced.

Flickinger describes the storage of advertising information which is inserted into a television stream. The advertising information is stored at a user's set top box ("STB"). For example, paragraph [0066] summarizes salient features of the Flickinger system:

"[0066] The principles of one embodiment includes means to selectively store ads on the STB 200, and subsequently "insert and play" them at the appropriate time. Ads are received via the ad channel or any other means, stored on a HD 214 (or other storage means including Flash memory) on the STB 200, and selected ads are then substituted or spliced into the programming being delivered or the programming being viewed. The relative timing of ad delivery/storage and subsequent play-out can widely vary. The substitution could occur within seconds after the ad is stored, or months after it is stored depending on the application. The STB 200 would contain a mass storage means to store the ads and one or more processors to determine, in one embodiment, which ads to store [note that other embodiments can include profiling and ad matching at the STB], and carry out, inter alia, the substitution. The STB 200 could receive and store each ad delivered on the ad channel. However, in a preferred embodiment, the STB 200 stores only selected ads."


Thus, Flickinger is deficient as a reference against the claims, for the reason that Flickinger's ads are inserted "into the stream", such as in a commercial break, and thus are sequential with the television stream. In Flickinger, therefore, the ad is not displayed "together at a user display" with image data, as set out in the claims. To clarify this feature, the claims have been amended so as to specify a display of both the photo image and the local advertising information together on a user display, wherein the user display is controlled to display both of the photo image and the obtained local advertising information together, via the user set top box.

Moreover, Flickinger stores his ads at the set top box, as described in the above quotation of paragraph [0066]. This also differs from the invention, in which advertising information is stored in an advertising database at the cable head end.

It is therefore respectfully submitted that the invention differs significantly in terms for structure, function and effect, from the applied art of Marinus and Flickinger, such that even in the proposed combination, the invention still would not have been obvious. Allowance of the claims is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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